

Helpful Reminders

- Please try to stay calm and cooperate with the surveyor to ensure all of your information is collected and considered.
- The surveyor's role is to remain objective and gather all the information necessary to determine compliance with child care laws and regulations.
- During the visit from the surveyor, continue your daily routine and care for the children as needed. The children are your priority and the surveyor understands.
- The source of the concerns or complaint is confidential. The surveyor cannot reveal this information.
- Read all materials or mailings sent from KDHE very carefully and follow all instructions. Call your child care surveyor or KDHE if you have any questions.
- The child care surveyor has the right of entry to your child care facility to investigate a complaint.

Mutual Rights and Responsibilities

Each party of the complaint investigation has the right to be treated as a professional with courtesy, dignity, consideration, and respect.

Please be aware that information contained within this brochure is not in any way intended to, nor does it, provide legal advice.



***“Good Beginnings
Last a Lifetime”***

How do I request a review of findings?

- If you have a question about a finding on the NOSF, please request an explanation from the surveyor.
- If the explanation is not satisfactory, you may submit a request for review in writing within fifteen (15) calendar days from the day you signed the NOSF. Requests should be mailed to the address noted at the top of the NOSF.
- Remember to include the facility name and license number on the request. In addition, provide your name, address, telephone number, and e-mail address (if available).
- Please list each finding with which you disagree. Include the K.A.R. and K.S.A. number(s) and/or letter(s) that are written on the NOSF with each description of noncompliance.
- Please give a brief explanation as to why you believe the finding was cited in error.
- You may also include information or documents that show you were in compliance at the time of the survey.
- Each review will be completed within thirty (30) days of receipt of the request.
- You will receive written notification as to the results of the review. If a finding was cited in error, a Corrected NOSF will be sent to you.

Child Care Complaint Investigations

*What Child Care
Providers Need to Know*



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Child Care Licensing Program
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Topeka, KS 66612-1274

Website:
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The Complaint Survey Process

Why is a surveyor coming to my child care facility?

The Kansas Department of Health and Environment (KDHE) administers the child care licensing law and issues licenses for child care facilities. The main purpose of regulation is to protect the health, safety, and welfare of children receiving care away from their home.

If there is a regulatory concern, KDHE is required to conduct an on-site visit, also called a complaint survey, to determine if the child care facility is in compliance with regulations. Concerns reported about someone providing child care without a license are also investigated and involve an on-site visit by a child care surveyor.

What happens during the on-site visit?

- The surveyor's visit to your child care facility will be unannounced.
- The surveyor will provide identification and state the reason for the visit.
- A walkthrough of the entire child care facility will be conducted by the surveyor to observe the environment, staff, and the children in care.
- If the complaint involves concerns about the environment, the surveyor may take pictures.
- Files for children and adults will be reviewed. Contact information from files may be obtained to gather information from parents and staff.
- The surveyor will discuss concerns with you.
- Findings of noncompliance will be documented on a Notice of Survey Findings (NOSF) form and discussed with you during an exit interview.

- Signing the NOSF does not mean you agree with the findings, just that you have received a copy from the surveyor.
- A copy of the NOSF will be left with you the day of the visit. It will state whether or not the investigation is complete.

Why would another agency be involved?

The nature of the concern determines if another agency such as the Department of Social and Rehabilitation Services (SRS), law enforcement, fire marshal, or food program may be involved in an investigation. For example, if a child care complaint includes concerns of abuse, neglect, or lack of supervision, an SRS social worker may accompany the surveyor.

When a surveyor is conducting an investigation with another agency, each agency will conclude their own investigation and document their own findings. Even though other agencies involved may have no findings, there may be noncompliance cited by the surveyor.

What happens after the surveyor leaves?

- If your copy of the NOSF states that the investigation is complete, all documentation is forwarded to KDHE for review.
- If your copy of the NOSF states the investigation is ongoing, the surveyor may contact parents, staff, and potential witnesses. Another on-site visit may be necessary to determine compliance with regulations.
- You will receive a final NOSF once the investigation is complete. Documentation is forwarded to KDHE for review.

- If KDHE determines additional information is needed, the investigation may be reopened.

What do I do if there are findings?

- If possible, correct all findings within five (5) calendar days of the survey. If you are unable to make all the corrections within 5 days, develop a plan for compliance. No further action is required on your part unless you receive instructions from KDHE or the surveyor.
- If you have any questions about why you were cited or need suggestions for making corrections, contact your child care surveyor. They are there to help you understand the regulations and maintain compliance.
- If you disagree with a finding and cannot resolve the issue with your child care surveyor, you may request a review of the finding(s). The request for review must be sent in writing to KDHE. Instructions for requesting a review can be found on the back of this brochure.
- The surveyor may return to your facility unannounced to verify compliance with findings cited during the complaint survey.
- If serious or repeat findings are found, KDHE may consider denial of an application, civil penalty, suspension of a permit or license, or revocation of a license. You have the right to appeal these actions.
- If findings from a visit reveal children need to be protected from abuse, abandonment, or any other substantial threat to health or safety, KDHE may issue an emergency suspension. Although subject to appeal, an emergency suspension results in immediate closure of the child care facility, prior to a hearing.